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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Srivastava Confirmation No.: 9970
Serial No.: 09/992,613 Art Unit: 1642
Filed: November 14, 2001 Examiner: TIDWELL, Judy Lille
For: IMMUNOTHERAPEUTIC Attorney Docket No.: 8449-183-999
STRESS PROTEIN-PEPTIDE
COMPLEXES AGAINST
CANCER

TERMINAL DISCLAIMER FEE TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The fee for processing the attached Terminal Disclaimer is believed to be \$65.00 (small entity). Please charge the required fee to Jones Day Deposit Account No. 50-3013. A copy of this sheet is attached for accounting purposes.

Date: June 21, 2006

Respectfully submitted,

Adriane M. Antler

32,605

(Reg. No.)

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Alexandria, VA 22313-1450

Sir:

Your Petitioner, **W. Patrick McGrath** represents that he holds the position of Executive Director, Office of Industrial Liaison of **Mount Sinai School of Medicine of the City University of New York**, the assignee of the entire 100% right, title and interest in and to application Serial No. 09/992,613 filed November 14, 2001, by virtue of an assignment from the inventor of application Serial No. 09/992,613, recorded on June 26, 1995 at Reel 7524, Frame 0401.

Mount Sinai School of Medicine of the City University of New York is also the assignee of the entire 100% right, title, and interest in and to application Serial No. 10/386,775 filed March 7, 2003 entitled "IMMUNOTHERAPEUTIC STRESS PROTEIN-PEPTIDE COMPLEXES AGAINST CANCER," by virtue of the same assignment recorded at Reel 7524, Frame 0401.

Application Serial No. 10/386,775 is a continuation of application Serial No. 09/992,613, which is a continuation of application Serial No. 09/489,218 filed January 21, 2000, which is a continuation of application Serial No. 09/061,365 filed April 16, 1998, now U.S. Patent No. 6,017,544, which is a division of application Serial No. 08/315,892 filed September 30, 1994, now U.S. Patent No. 5,750,119. The assignment, which was recorded on June 26, 1995 at Reel 7524, Frame 0401, in connection with application Serial No. 08/315,892 also assigns the invention therein and all continuations thereof.

Petitioner hereby disclaims the terminal part of any patent granted on the application Serial No. 09/992,613 which would extend beyond the expiration date of any patent granted on application Serial No. 10/386,775.

Petitioner hereby agrees that any patent so granted on application Serial No. 09/992,613 shall be enforceable only for and during such period that the legal title thereto shall be the same as the legal title to any patent granted on application Serial No. 10/386,775. Petitioner further agrees that this agreement is to run with any patent granted on application Serial No. 09/992,613 and is to be binding

upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on application Serial No. 09/992,613 prior to the expiration date of the full statutory term of any patent granted on patent application Serial No. 10/386,775 in the event that any patent granted on patent application Serial No. 10/386,775 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf of **Mount Sinai School of Medicine of the City University of New York**.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 20th day of June, 2006.

Mount Sinai School of Medicine of the City University of New York

By: W. Patrick McGrath

Name: **W. Patrick McGrath**

Position: **Executive Director, Office of Industrial Liaison**